

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 JUNE 2013 IN THE COTSWOLD SPACE - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Andrew Davis, Cllr Dennis Drewett (Substitute), Cllr Russell Hawker, Cllr Gordon King (Substitute), Cllr John Knight, Cllr Christopher Newbury (Chairman), Cllr Graham Payne (Substitute), Cllr Horace Prickett, Cllr Pip Ridout and Cllr Jonathon Seed

Also Present:

Cllr Ian Thorn

43 **Apologies for Absence**

Apologies for absence were received from Councillors Ernie Clark, Magnus Macdonald and Roy While.

Councillor Clark was substituted by Councillor Dennis Drewett.

Councillor Macdonald was substituted by Councillor Gordon King.

Councillor While was substituted by Councillor Graham Payne.

44 **Minutes of the Previous Meeting**

The minutes of the meeting held on **22 May 2013** were presented for consideration and comment. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

45 **Chairman's Announcements**

There were no Chairman's Announcements.

46 **Declarations of Interest**

Councillor John Knight declared a non-pecuniary interest in application W/13/00618/FUL - *Land Rear of 90 and 88a and 88b Dursley Road, Trowbridge* - by virtue of being a member of Trowbridge Town Council, where the

application had come before its Development Control Committee. He declared that he would consider the application on its merits and debate and vote with an open mind.

Councillor Jonathan Seed declared a non-pecuniary interest in application W/13/00050/FUL - *Land at Farleigh Rise, Monkton Farleigh* - by virtue of being acquainted with the applicant. He declared that he would consider the application on its merits and contribute to the debate and vote with an open mind.

47 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The rules on public participation were noted.

48 **Planning Applications**

The Committee considered the following applications:

49 **W/13/00496/REG3: Fitzmaurice Primary School, Frome Road, Bradford On Avon, Wiltshire, BA15 1LE**

Public Participation

Mrs Louise Weissel spoke in objection to the application.

Mr Simon Hetzel spoke in objection to the application.

Mr Andrew Gough, agent, spoke in support of the application.

Mr Shane McCracken, Chair of Governors Fitzmaurice Primary School, spoke in support of the application.

The Area Development Manager introduced a report which recommended approval. It was noted that as a Wiltshire Council application, in the presence of objections being received the application had automatically be called into Committee for consideration.

The key issues were stated to include the impact upon the host building and the conservation area from the proposed extension, and the impact upon landscaping and amenity. An additional condition to ensure a scheme for the discharge of surface water from the site was submitted and approved was detailed.

The Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian Thorn, then explained that while the need for additional classrooms at Fitzmaurice was accepted, there remained concerns with several aspects of the application around landscaping and impact upon local amenity that required resolution.

A debate followed, where details of temporary access to the site for construction purposes was raised, along with the extent or remaining greenspace at the school and appropriateness of the design. Details on proposed fencing was sought, along with details of potential restrictions on hours of work and delivery to minimise its impact.

Following debate, it was,

Resolved:

To APPROVE the application for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C17, C19, C31a and C38.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to ensure that there would be no harm to the character and appearance of the Conservation Area or the neighbouring amenity.

Subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 Prior to the first use of the approved extension a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.**

REASON: In the interests of road safety and reducing vehicular traffic to the development.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:**

**120938 P(0)00 received on 14.03.2013
120938 P(0)01Rev B received on 14.03.2013
120938 P(0)02 Rev A received on 14.03.2013
120938 P(0)03 received on 14.03.2013
120938 P(0)05 Rev D received on 14.03.2013**

120938 P(0)10 Rev C received on 14.03.2013
120938 P(0)12 received on 14.03.2013
120938 P(0)13 received on 14.03.2013
120938 P(0)14 received on 14.03.2013

120215-FMP-TCP-LI received on 14.03.2013

Construction Traffic Management Plan dated May 2013 submitted by Entran environmental and transportation.

Design and Access Statement prepared by Kendall Kingscott Limited received 14.03.2013

Habitat Survey _ Options Appraisal prepared by Johns Associates environmental consultants received 14.03.2013

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

- 4 No development shall commence on site until a scheme for the discharge of surface water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

Informatives:

- 1 **Sprinkler Protection in Schools:**

It is advised that you contact the Wiltshire Fire and Rescue Service for more information regarding the risk assessment regarding the installation of sprinkler systems within new nasd refurbished schools.

- 2 Prior to the commencement of the development the applicant shall ensure that the residents of Paulton have been informed of the intended use of the road for construction traffic, and mitigation measures to be employed, in the form of a local letter to reduce potential for obstruction to construction traffic.

- 3 It is an offence under the Highways Act 1980 to allow mud to be deposited on a highway. The applicant should ensure that the contractor is aware of his legal requirement to keep Paulton free of any material dragged by lorries onto the road, and to have measures in place to immediately clean up any material so deposited.

- 4 You are advised that should you require a new water supply or waste water connection from Wessex Water to serve the development you should contact Wessex Water at www.wessexwater.co.uk**

50 W/12/00697/FUL: Land West Of Codford Station, Station Road, Codford, Wiltshire

Public Participation

Mrs Sarah Kennedy spoke in objection to the application.

Mr George Leaze, agent, spoke in support of the application.

Mr Stephen Boxall, Upton Lovell Parish Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended approval be granted. The key issues were stated to include the principle of the development, and impact on amenity and the highways.

The Committee then had the opportunity to ask technical questions of the officers. It was confirmed that despite the address, the site lay within the parish of Upton Lovell, and details were sought regarding the previous use on the site.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Christopher Newbury, then detailed the local objections to the application.

A debate followed, where the amount of parking on the site and impact upon the highways network was raised, along with discussion surrounding the current classification of permitted use on the site and its comparison with a poultry farm in being assessed for suitability. Details were also sought concerning the impact on the nearby rail level crossing.

At the conclusion of debate, it was,

Resolved:

To DEFER the application to a future committee meeting pending the completion of:

- 1) Consultation with Network Rail regarding the level crossing;**
- 2) A site visit to be arranged for the Committee; and,**
- 3) An exploration of validity of comparison of previous traffic generation with a Poultry farm.**

51 W/13/00050/FUL: Land at Farleigh Rise, Monkton Farleigh, Wiltshire

The Area Development Manager introduced a report which recommended approval. The key issues were stated to include the principal of the development within the green belt, loss of agricultural land and highway safety.

Members then had the opportunity to ask technical questions of the officer.

There were no members of the public to make statements in support or objection.

The Local Member, Councillor Trevor Carbin then spoke in support of the application.

A discussion followed, where the suitability of the existing highway to accommodate more traffic was noted, along with the existence of working sites in the surrounding area and limited impact of the proposals.

At the conclusion of debate, it was,

Resolved:

To APPROVE the application for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the West Wiltshire District Plan 1st Alteration (2004), namely Policies C1, C2, C31a, C38, E10 and TO4.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the following plans:**

Drawing: Location map;

Drawing: Site plan (received on 8 April 2013);

Drawing: Equestrian, wash facilities and access plan (received on 8 April 2013);

**Drawing: Cross section A-B existing;
Drawing: Cross section A-B proposed;
Drawing: Washing facility elevations;
Drawing: Stables elevations; and
Drawing: Stables floor and roof plan.**

REASON: In order to define the terms of this permission.

- 3 In accordance with the details submitted and assessed under this application no more than 10 pitches (either tents or pods or caravans) shall be sited and in use on the land at any time.**

REASON: In order to define the terms of this permission, highway safety and protect the rural scene.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policies C1, C2 and TO4.

- 4 The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.**

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10.

- 5 Any gates shall be set back 10 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.**

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and TO4.

- 6 No development shall commence on site until visibility splays have been provided between the edge of carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to a point on the edge of the carriageway 90 metres towards east and to the north-western corner of the site frontage towards the west. Such splays shall thereafter be permanently maintained free of obstruction to vision above a height of 900mm above the level of the adjacent carriageway.**

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and TO4.

- 7 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been**

submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C1, C2, E10 and TO4.

8 No development shall commence on site until a detailed scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C1, C2, E10 and TO4.

9 No development shall commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: TO4.

- 10 No development shall commence on site until details of a scheme for the enhancement of ecological interests on the site has been submitted to and approved in writing by the local planning authority. The enhancements shall be carried out in accordance with a timetable that shall be submitted as part of the scheme.**

REASON: In order to maintain and enhance nature conservation interests on the site.

West Wiltshire District Plan 1st Alteration (2004) POLICY TO4 and the National Planning Policy Framework (2012).

- 11 No development shall commence until details of a pedestrian access to the existing public footway on Farleigh Rise has been submitted to and approved in writing by the Local Planning Authority. The camp site shall not be first brought into use until the pedestrian access has been provided in accordance with eth approved details.**

REASON: In the interests of highway safety.

West Wiltshire District plan 1st Alteration (2004) POLICY: TO4.

- 12 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The scheme shall include details to demonstrate that no surface water will be discharged to the highway. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.**

REASON: To ensure that the development can be adequately drained.

West Wiltshire District Plan 1st Alteration (2004) POLICIS: E10, TO4 and U2.

- 13 Before the development is first brought into use, the manure clamp shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.**

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and C38

- 14 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the**

completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 15** No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details thereafter and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area, to minimise unnecessary light spillage above and outside the development site and protect nature conservation interests.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: TO4 and the National Planning Policy Framework 2012.

Informatives:

- 1** The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.
- 2** The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. For further advice, please contact the district ecologist at Wiltshire Council.

- 3 Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:**
- the use of plant and machinery
 - oils/chemicals and materials
 - the use and routing of heavy plant and vehicles
 - the location and form of work and storage areas and compounds
 - the control and removal of spoil and wastes.

**The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:
<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.**

- 51 W/13/00618/FUL: Land Rear of 90 and 88a and 88b Dursley Road, Trowbridge, Wiltshire**

Public Participation

Mrs Christine Jennings spoke in objection to the application.

Mr Brian Toogood, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended approval be granted. The key issues were stated to include the scale of the development on the site, impact on neighbour amenity and highways considerations. It was noted that since historical refusals on the grounds of highways concerns, changes in policy had meant that there were no longer any objections from Highways officers.

The Committee then had the opportunity to ask technical questions of the officers, where details of the access and highways issues were sought.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Graham Payne, then spoke in objection to the application.

A debate followed, where the width of the access and local parking issues were raised, along with the increased pressures on the area from two properties on the site rather than the current permission for one. The footprint of the proposed bungalows was considered, as well as drainage.

Following debate, it was,

Resolved:

That Planning Permission be GRANTED for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed dwellings by reason of their location, single storey nature and design would not have an impact upon the existing street

scene or neighbouring amenity and would not cause any significant harm to interests of acknowledged importance having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C31a, C38 and H1 and guidance found in Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 2013-16: 01, 02, 03, 04 received on 8th April 2013 only**

REASON: For the avoidance of doubt and in the interests of proper planning

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated in the application form received by the Local Planning Authority on 8th April 2013 unless otherwise agreed in writing by the Local Planning Authority.**

REASON :In the interests of visual amenity and the character and appearance of the area having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.**

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements having regard to Saved Policy C31a and C38 of the West Wiltshire District Plan 1st Alteration 2004

- 5 **No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on drawing number 2013-16 03 received on 8th April 2013 unless otherwise agreed in writing by the local planning authority. The parking and turning areas shall be maintained for those purposes only at all times.**

REASON: In the interests of highway safety having regard to advice in the National Planning Policy Framework and the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy.

Informative

- 1) **The applicant is advised to contact Wiltshire Fire and Rescue Service for further information regarding the risk assessment for the installation of sprinkler systems within new dwellings.**

52 **W/13/00578/FUL: 1 Foxglove Drive, Hilperton, Trowbridge, Wiltshire, BA14 7SQ**

Public Participation

Mr Brian Cullern spoke in objection to the application.

The Planning Officer introduced the report, which recommended approval be granted. The key issues were stated to include the impact upon the main property, visual impact and relationship to adjoining properties.

The Committee then had the opportunity to ask questions of the officers, and the orientation of the property and its neighbours was clarified.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

A statement from the Local Member, Councillor Ernie Clark, detailing his reasons for calling in the application on behalf of the objecting Parish Council, was read to the Committee.

A debate followed, where the impact of the proposed extension was assessed, with the lack of overshadowing and overlooking noted.

At the conclusion of debate, it was,

Resolved:

That Planning Permission be GRANTED for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in

the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C31a and C38.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to ensure that there would be no harm to the character and appearance of the neighbouring amenity.

Subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:**

**Drwg No. 1073-P01 received on 2 April 2013
Drwg No. 1073-P02 received on 2 April 2013
Drwg No. 1073-P03 received on 2 April 2013
Drwg No. 1073-P04 received on 2 April 2013**

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

54 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 7.45 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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